REMARKS

Claims 47, 50-54 and 56-59 are now in the case.

Applicants have cancelled claims 49 and 55 without prejudice. Applicants may elect to pursue the cancelled claims in a continuing application

Applicants have amended claim 47 to include the feature of a first additive having a penetration value at 25°C of between about 20 dmm and about 100 dmm.

Applicants have amended claim 51 to correct a typographical error.

Applicants have added claims 56-59 to claim additional features.

Each of the amendments is supported by the specification, claims and drawings as filed (see *inter alia* page 12, lines 10-13 and page 16, lines 23-26 of the specification)

Rejection under 35 U.S.C. § 112

Claims 49 and 55 have been rejected under 35 U.S.C. 112, first paragraph for reasons of record at paragraph 2 of the office action dated February 8, 2005.

Applicants submit that claim 55 has been cancelled therefore mooting the rejection.

The office action asserts that "the specification, while being enabling for a paraffin or paraffin/mineral oil blend having an Rt grater than about 94%, does not reasonably provide enablement for any additive with an Rt greater than 94%, based on applicants' list of Rt values."

The office action further asserts that the claims embrace an invention which contains any know additive, which could/can be selected from literally thousands. It does not appear to be feasible that any additive would function in the present invention."

Applicants respectfully disagree.

At the outset, Applicants wish to point out that claims 49 and 55 include the features of a first side having a Relative Tack Rt of between about 55% and about 94%.

Thedisclosure includes a description of the test methodology used to measure "Relative Tack Rt" of a side of a cleaning sheet (See page 15, lines 19-35, page 16, lines 1-27).

Page 15, lines 26-27 discloses that that "[v]arious coatings are applied to specific substrates and the substrate is subsequently tested using an ASTM test #D3121 referred to as the 'Rolling Ball Tack Test.' The "Rolling Ball Tack test" 30 is schematically represented in Figs. 2 and 3."

Page 16, lines 22-26 discloses that "Tables 3 and 4 include the results of the "Rolling Ball Test." Based on the results provided in table 3, it is possible to evaluate a "Relative Tack" Rt which is equal to the distance traveled by the metal ball on the substrate coated with the test sample additive divided by the distance traveled by the metal ball on an identical substrate which does not comprise the test sample additive. This result is then multiplied by 100 to obtain a percentage value."

Contrary to the Office Action assertion that "for one skilled in the art to reproduce the present invention (which must be possible if the specification is adequate), there would clearly be undue experimaentation to do so in an attempt to figure out which additives work and which one do not," it is Applicants' position that the claims are fully enabled by the disclosure, which provides the methodology used to measure the Relative Tack Rt via an ASTM test.

Reconsideration and withdrawal of the rejections are therefore respectfully requested.

Claims 53-54 have been rejected under 35 U.S.C. 112, first paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention.

Applicants respectfully disagree.

Applicants would like to bring the Examiner's attention to page 35, lines 23-25 of the specification which state that "[t]he cleaning sheets described herein can have a basis weight of at least about 40 g/m^2, preferably between about 50 g/m^2 and 90 g/m^2, more preferably between about 55 g/m^2 and about 80 g/m^2."

Consequently, it is Applicants' position that the office action did not properly argued that "[t]he limitations of claims 53-54 constitute new matter, the limitation of which are not taught by the specification as filed."

Claim 51 has been rejected under 35 U.S.C. 112, second paragraph for reasons of record at paragraph 6 of the office action dated February 8, 2005.

Applicants submit that claim 51 has been amended to correct a typographical error and that this amendment overcomes the rejection.

Reconsideration and withdrawal of the rejections are therefore requested.

Rejection under 35 U.S.C. § 103

Claims 47, 49 and 52-55 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Childs et al. '834.

Applicants submit that claim 47 has been amended to include the feature of a first additive having a penetration value at 25°C of between about 20 dmm and about 100 dmm.

The office action alleges that page 17 of the Childs et al. reference "teaches the additive comprising microcrystalline wax."

Applicants note that the microcrystalline was disclosed by Childs et al. is "[c]ommercially available from Strahl & Pitsch under the trade name S&P No. 617." (See page 17, line 11)

Applicants also submit that a declaration of Nicola John Policicchio, Principal Scientist at The Procter & Gamble Company, is filed concurrently herewith. Mr. Policicchio has been employed by The Procter & Gamble Company for the past 21 years.

Mr. Policicchio states: "under [his] direction the Strahl & Pitsch company has been contacted about the S&P No. 617 product."

Mr. Policicchio states: "[he] has reviewed the documentation sent by the Strahl & Pitsch company regarding the S&P No. 617 product, which indicates that its penetration value according to ASTM test #D3121 is 10 dmm; and

Mr. Policicchio states: "based on the foregoing, it is [his] observation that the "penetration value" of the S&P No. 617 product is less than 20 dmm.."

Applicants submit that claim 47 includes the feature of a first additive having a penetration value at 25°C of between about 20 dmm and about 100 dmm.

It is basic patent law that "[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some **suggestion or motivation** ... to modify the reference or to combine the reference teachings. Second, **there must be a reasonable expectation of success**. Finally, the prior art reference **must teach or suggest all the claim limitations**. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure." (Emphasis added) *In re Vaeck*, 947 F.2d 488, USPQ 2d 1438 (Fed Cir. 1991).

Consequently, it is Applicants' position that the rejection of claims 47, 49 and 52-55 under 35 U.S.C. 103(a) as being obvious over the Childs et al. reference, did not establish a *prima facie* case of obviousness.

Reconsideration and withdrawal of the rejections are therefore respectfully requested.

For the sake of brevity, Applicants submit that the same reasoning apply to the rejections of record at paragraphs 11 and 12.

Reconsideration and withdrawal of these rejections are therefore also respectfully requested.

It is submitted that all the claims are in condition for allowance. Early and favorable action on all claims is therefore requested.

If the next action is other than to allow the claims, the favor of a telephonic interview is requested with the undersigned representative.

Respectfully submitted,

For POLICICCHIO ET AL.

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